

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on June 18, 2001.

By: \_\_\_\_\_

Printed name: Katherine Stoffer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Lal et al.

Title: HUMAN CYTOSKELETAL ASSOCIATED PROTEINS

Serial No.: 09/786,797

Filing Date: September 17, 1999

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371**

Sir:

In response to the "Notice to File Missing Requirements" mailed by the United States Patent and Trademark Office on April 17, 2001, Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Return postcard;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 dated April 17, 2001 (1 pg.);
3. **Executed** Declaration and Power of Attorney for United States Patent Application (6 pp.);
4. Request to Transfer (1 pg., in duplicate); and
5. Copy of Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated April 17, 2001 (1 pg.)

06/27/2001 UEDUWIJE 00000071 090100 09786797

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09/786,797

Please charge the following fees to **Deposit Account No. 09-0108**:

Basic surcharge fee for filing the declaration under 37 CFR 1.492(e) \$ 130.00

Total fees charged to Deposit Account No. 09-0108: \$ 130.00

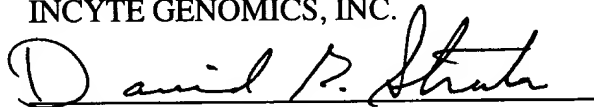
If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Date: June 18, 2001

Respectfully submitted,  
INCYTE GENOMICS, INC.



David G. Streeter, Ph. D.

Reg. No. 43,168

Direct Dial Telephone: (650) 845-5741

3160 Porter Drive  
Palo Alto, CA 94304  
Tel: 650-855-0555  
Fax: 650-849-8886

Received  
APR 26 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786797	LAL P	PF-0594 USN
INTERNATIONAL APPLICATION NO.		
PCT/US99/21565		
I.A. FILING DATE	PRIORITY DATE	
17 SEP 99	18 SEP 98	

INCYTE GENOMICS  
3160 PORTER DRIVE  
PALO ALTO, CA 94304

DATE MAILED 17 APR 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input type="checkbox"/> Priority Document.  |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- |  |
|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Pat Booker, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3738

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on June 18, 2001

By: [Signature]Printed name: Katherine Stofer

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.Title: HUMAN CYTOSKELETAL ASSOCIATED PROTEINSSerial No.: 09/786,797Filing Date: September 17, 1999Examiner: To Be AssignedGroup Art Unit: To Be Assigned

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

## REQUEST TO TRANSFER

Sir:

This paper is responsive to the Notification of a Defective Response (copy attached) which was mailed on April 17, 2001.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant application is identical with the computer readable form filed with PCT Application No. PCT/US99/21565 filed September 18, 1999, in the US/RO to which priority is claimed. In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed with PCT Application No. PCT/US99/21565 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108. This form is enclosed in duplicate.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: June 18, 2001

[Signature]  
David G. Streeter, Ph.D.  
Reg. No. 43,168  
Direct Dial Telephone: (650) 845-5741

3160 Porter Drive  
Palo Alto, California, 94304  
Tel. No. 650-855-0555 Fax. No. 650-849-8886

Parent 99/21565  
does not have a  
valid CRF.